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No. 89-1715

Supreme Court, U.S.
FILED
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JOSEPH F. SPANGLER, JR.
CLERK

IN THE SUPREME COURT OF THE UNITED STATES

October Term, 1990

CATHY BURNS

Petitioner,

vs.

RICK REED

Respondent.

ON WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE SEVENTH CIRCUIT

JOINT APPENDIX

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PETITION FOR CERTIORARI FILED MAY 7, 1990
CERTIORARI GRANTED JUNE 28, 1990

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I. RELEVANT DOCKET ENTRIES

<u>DATE</u>	<u>ENTRY</u>
31 January 1985	Complaint filed by Plaintiff Cathy (Sells)Burns ¹ .
25 March 1986	Court grants motion to dismiss as to various Defendants and denies motion as to Defendants Reed, Cox, Scroggins and Stonebraker.
4 April 1986	Defendant Reed files answer with affirmative defenses.
16 May 1986	Defendant Reed files motion for summary judgment.
1 May 1987	Court denies motions for summary judgment on Defendants Reed, Cox, Scroggins, and Stonebraker.
17 February 1988	Defendants Cox, Scroggins, and Stonebraker offered a combined offer of judgment of \$250,001.00.
26 February 1988	Plaintiff Burns filed notice of acceptance of offers of judgment.
29 February 1988	Court enters judgment against Defendants Cox, Scroggins, and Stonebraker.
19 August 1988	Defendant Reed files another motion for summary judgment.
7 October 1988	Court denies motion for summary judgment.

¹ Ms. Burns changed her surname from Sells to Burns when she married.

31 October 1988	Trial by jury began with remaining parties Burns and Reed.
4 November 1988	Court grants Defendant's motion for directed verdict at the conclusion of Plaintiff's evidence.
8 November 1988	Court enters judgment for Defendant Reed; Plaintiff to pay costs of action.
5 December 1988	Burns files notice of appeal.
27 December 1988	Burns files memorandum of jurisdiction in response to Circuit Court query as to final judgment.
28 February 1989	Burns files brief.
6 February 1990	United States Court of Appeals for the Seventh Circuit affirms District Court's order directing verdict in favor of Defendant Reed.
7 May 1990	Burns files petition for writ of certiorari.
28 June 1990	Certiorari granted.

II. OPINION OF THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF INDIANA
DILLIN, D.J.

Petitioner Burns respectfully directs this Court to the Petition For A Writ of Certiorari Appendix B which contains the above referred to opinion.

III. JUDGMENT FOR DEFENDANT ON MOTION FOR A
DIRECTED VERDICT

(Caption Omitted)
JUDGMENT

This action having come on for trial before the Court and jury and the Court having granted defendant's motion for directed verdict at the conclusion of plaintiff's evidence,

IT IS ADJUDGED that the plaintiff take nothing by her complaint as to defendant Rick Reed and her complaint is now dismissed,

IT IS FURTHER ADJUDGED that the plaintiff pay costs of this action.

Dated this 8 day of November, 1988.

S. HUGH DILLIN, JUDGE

(Distribution omitted)

IV. OPINION OF UNITED STATES COURT OF APPEALS FOR
THE SEVENTH CIRCUIT BURNS V. REED, 894 F.2d (7th Cir. 1990)

Petitioner Burns respectfully directs this court to the Petition For A Writ of Certiorari which contains the above opinion beginning at 1a.

V. TRANSCRIPT OF HEARING ON PROBABLE CAUSE FOR
ISSUANCE OF SEARCH WARRANT; DELAWARE COUNTY,
INDIANA SUPERIOR COURT NO. 2; HONORABLE BETTY
SHELTON COLE.

Petitioner Burns respectfully directs this Court to the Petition For A Writ of Certiorari Appendix C which contains the above transcript testimony.

(R. 5, 7-11 Plaintiff's Exhibit 24)